

5461. Adulteration of tomato pulp. U. S. * * * v. 99 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8122. I. S. No. 2048-m. S. No. E-809.)

On February 27, 1917, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 99 cases of tomato pulp, labeled in part: "Highland Square Brand Tomato Pulp * * *. Packed by Cooke Shanawolf Co., Baltimore, Md.," remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the article had been shipped on February 8, 1917, by Cooke, Shanawolf Co., Baltimore, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 16, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*

5462. Adulteration of oranges. U. S. * * * v. 310 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8125. I. S. No. 2131-m. S. No. E-810.)

On February 27, 1917, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 310 boxes of oranges, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on February 15, 1917, by Alexander & Baird, Beresford, Fla., and transported from the State of Florida into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that from 52 to 87 per cent of the oranges had been frosted, and so rendered unfit for human consumption.

On March 2, 1917, John C. Kendrick and Leonard H. Johnson, Buffalo, N. Y., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*